



PATENT
Attorney Docket: ITLV-00108

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

Robert Olan Keith Jr.)

Serial No.: 09/801,076)

Filed: March 6, 2001)

For: **METHOD AND APPARATUS**)
FOR ORGANIZING DATA BY)
OVERLAYING A SEARCHABLE)
DATABASE WITH A)
DIRECTORY TREE)
STRUCTURE)

Group Art Unit: 2161

Examiner: Nguyen, Cam Linh T

**TERMINAL DISCLAIMER TO
OBVIATE A DOUBLE PATENTING
REJECTION**

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Jonathan O. Owens, represent that I am the attorney of record for this invention. The disclaimant, The Web Access, Inc., assignee of this invention, owns the whole of this invention.

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to 156 and 173 of United States Patent Application Numbers 09/801,072 and 09/801,138 as presently shortened by any terminal disclaimer, is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to United States Patent Application Numbers 09/801,072 and 09/801,138, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of United States Patent Application Numbers 09/801,072 and 09/801,138, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

FEE STATUS
(37 CFR 1.20(d))

- X Small entity -- fee \$65.00.
- X Authorization To Charge Deposit Account:
- X The Commissioner is hereby authorized to charge any fees or credit any overpayment during the pendency of this application to Account No. 08-1275. **An originally executed duplicate of this document is enclosed for this purpose.**

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: August 11, 2005

By: Jonathan O. Owens
Jonathan O. Owens
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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.
Date: 8/11/05 By: [Signature]